



CUI
DEPARTMENT OF THE ARMY
US Army Criminal Investigation Division
Fort Bragg CID Office
8-1221 Randolph St
Fort Bragg, North Carolina, 28310-8310

CIRC-FFB

2022/07/27

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Report of Investigation - SIR/1ST Final Supplemental - 01267-2013-CID023-025984-5H1/ 5H1P/5H4/5K/5K3/5C1/5X1/5C2/5C2B/7G3/7J4/5T1/5K4/9G1

1. Offense:

- a. Murder
- b. Murder (Foreign)
- c. Murder (UCMJ)
- d. Murder (UCMJ)
- e. Negligent Homicide
- f. Kidnapping
- g. Kidnapping (Foreign)
- h. Aggravated Assault
- i. Concealment of the Body of Murdered (Foreign - Article 401: Chapter Three, Afghan Penal Code)
- j. Conspiracy (UCMJ - Article 81)
- k. Conspiracy - Person Offenses (UCMJ - Article 81)
- l. Assault
- m. Assault (Foreign)
- n. Assault (Foreign)
- o. Larceny of Private Vehicle
- p. Wrongful Destruction of Private Property
- q. Communicating A Threat
- r. Missing Persons (UCMJ)

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2. Dates/Times/Locations of Occurrences:

a. 0600, 21 Nov 12 - 2359, 22 Nov 12; Vicinity of COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

b. 0001, 05 Jan 13 - 2359, 06 Jan 13; Deh-e-Hayat Village, Nerkh District, Maidan Wardak Province, Afghanistan

c. 0001, 10 Nov 12 - 2359, 10 Nov 12; Deh Afghanan Village, Nerkh District, Maidan Wardak Province, Afghanistan

d. 0001, 01 Oct 12 - 2359, 31 Oct 12; COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

e. 1200, 08 Nov 12 - 2359, 08 Nov 12; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

f. 0001, 24 Oct 12 - 2359, 06 Dec 12; Vicinity of COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

g. 0600, 27 Nov 12 - 1800, 27 Nov 12; Nerkh District, Maidan Wardak Province, Afghanistan

h. 0001, 21 Nov 12 - 2359, 21 Nov 12; Jalrez District, Maidan Wardak Province, Afghanistan

i. 0001, 18 Nov 12 - 2359, 18 Nov 12; Mami Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

j. 0001, 28 Nov 12 - 2359, 28 Nov 12; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

k. 0001, 02 Dec 12 - 2359, 02 Dec 12; Sayed Abad District, Maidan Wardak Province, Afghanistan

l. 0001, 04 Dec 12 - 2359, 04 Dec 12; Deh-e-Hayat Village, Nerkh District, Maidan Wardak Province, Afghanistan

m. 0001, 20 Nov 12 - 2359, 01 Mar 13; Vicinity of COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

n. 0001, 20 Nov 12 - 2359, 07 Dec 12; COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

o. 0001, 19 Jan 13 - 2359, 20 Jan 13; Jo-e-Asya Village, Nerkh District, Maidan Wardak Province, Afghanistan

p. 0001, 27 Jan 13 - 2359, 27 Jan 13; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

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q. 0100, 01 Feb 13 - 0400, 01 Feb 13; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

r. 0001, 14 Feb 13 - 2359, 16 Feb 13; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, Afghanistan

s. 1400, 13 Mar 13 - 2359, 14 Mar 13; COP Nerkh, Nerkh District, Maidan Wardak Province, Afghanistan

t. 0001, 01 Jan 13 - 2359, 30 Mar 13; Nerkh District, Maidan Wardak Province, Afghanistan

u. 0001, 01 Sep 11 - 2359, 30 Sep 11; Murghhab District, Badghis Province, Afghanistan

v. 0001, 01 Aug 12 - 2359, 31 Oct 12; Chak District, Wardak Province, Afghanistan

3. Date/Time Reported: 0930, 17 Jul 13

4. Investigated By: SA (b)(6) (b)(7)(C) SA (b)(6) (b)(7)(C) SA (b)(6) (b)(7)(C) SA (b)(6) (b)(7)(C)

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5. Subjects/Suspects:

a. Zikria Noorzai, s/o Abdul Rahim FRCIV (b)(6) (b)(7)(C) Male; White; Afghanistan National Detention Facility Prison, Bagram, AFG; XZ; [Murder], [Murder], [Kidnapping], [Kidnapping], [Concealment of the Body of Murdered], [Conspiracy], [Assault], [Assault]

b. UNKNOWN - 9365493; [Murder], [Assault]

c. UNKNOWN - 9365510; [Assault]

d. UNKNOWN - 9365529; [Wrongful Destruction of Private Property], [Communicating A Threat]

e. UNKNOWN - 9365551; [Negligent Homicide]

f. UNKNOWN - 9366418; [Assault]

g. UNKNOWN - 9366420; [Assault]

h. UNKNOWN - 9366457; [Assault], [Larceny of Private Vehicle]

i. UNKNOWN - 9366461; [Murder], [Kidnapping], [Assault]

j. UNKNOWN - 9366500; [Murder], [Kidnapping]

k. UNKNOWN - 9366515; [Missing Persons]

l. UNKNOWN - 9366568; Male; White; [Kidnapping], [Aggravated Assault], [Assault]

m. (b)(6) (b)(7)(C) (b)(3) Male; White; (b)(6) (b)(7)(C) (b)(3) [Murder], [Murder], [Conspiracy - Person Offenses], [Assault] (NFI)

n. UNKNOWN - 9456938 DODCR; Male; White; Civilian Mine Removal Group, COP Nerkh, Maidan Wardak Province, AFG; [Concealment of the Body of Murdered]

o. UNKNOWN - 9456940 DODCR; Male; White; Civilian Mine Removal Group, COP Nerkh, Maidan Wardak Province, AFG; [Concealment of the Body of Murdered]

p. UNKNOWN - 9456943 DODCR; Male; White; Civilian Mine Removal Group, COP Nerkh, Maidan Wardak Province, AFG; [Concealment of the Body of Murdered]

q. (b)(6) (b)(7)(C) FRCIV; Male; White; XZ; [Assault]

r. UNKNOWN - 9702629; [Murder]

s. UNKNOWN - 9705660; [Concealment of the Body of Murdered]

t. (b)(6) (b)(7)(C) (b)(3) Male; White; (b)(6) (b)(7)(C) (b)(3) [Murder], [Conspiracy]

(NFI)

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6. Victims:

- a. Gul Rahim, s/o Abdul Rahim (Deceased) FRCIV; Male; White; Zybaka Village, Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- b. (b)(6) (b)(7)(C) FRCIV (b)(6) (b)(7)(C) Male; White; Ibrahim Khyll Village, Maidan Shahr, District, Maidan Wardak Province, AFG; XZ; [Assault]
- c. Sayed Mohammad, s/o Shir Mohammad (Deceased) FRCIV; Age 32; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping], [Assault]
- d. Atiqullah, s/o Sayed Rasool (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- e. Nasratullah, s/o Abdullah (Deceased) FRCIV; Male; White; Hangaran Village, Maidan Shar District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- f. Esmatullah, s/o Abdul Malik (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- g. Sadiqullah, s/o Abdul Malik (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- h. Mohammad Hassan, s/o Mohammad Nabi (Deceased) FRCIV; Age 32; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Kidnapping]
- i. Amanullah, s/o Fazel Haq (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- j. Farid, s/o Amanullah (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- k. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Assault]
- l. (b)(6) (b)(7)(C) FRCIV; (b)(6) (b)(7)(C) Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Assault]
- m. (b)(6) (b)(7)(C) FRCIV (b)(6) (b)(7)(C) Male; White; Karmaly, Ibrahim Khyll Village, Maidan Shahr District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Aggravated Assault], [Assault] (JUVENILE - This record may be released only as authorized by AR 195-2, Para 4-3f and AR 190-45)
- n. (b)(6) (b)(7)(C) FRCIV (b)(6) (b)(7)(C) Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Aggravated Assault], [Assault]
- o. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Aggravated Assault], [Assault]

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- p. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Kidnapping], [Aggravated Assault], [Assault]
- q. Mohammad Mansoor, s/o Mohammad Osman (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- r. Ahmad, s/o Unknown (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Negligent Homicide]
- s. Aziz Rahman, s/o Fazel Rahman (Deceased) FRCIV; Male; White; Ebrahim Khel Village, Maidan Shar District, AFG; XZ; [Murder]
- t. Mehrabudin, s/o Yar Mohammad (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- u. (b)(6) (b)(7)(C) s/o Unknown FRCIV; Male; White; Maidan Shar District, Maidan Wardak Province, AFG; XZ; [Assault], [Larceny of Private Vehicle]
- v. (b)(6) (b)(7)(C) FRCIV; (b)(6) (b)(7)(C) Male; White; Maidan Shar District, Maidan Wardak Province, AFG; XZ; [Wrongful Destruction of Private Property]
- w. Noorullah, s/o Hazratullah (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- x. Mohammad Qasim, s/o Abdul Ghafar (Deceased) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- y. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]
- z. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]
- aa. Zainatullah, s/o Sayed Hakeem (Deceased) FRCIV; Male; White; Amer Khel, Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- bb. (b)(6) (b)(7)(C) FRCIV; Male; White; Jalrez District, Maidan Wardak Province, AFG; XZ; [Communicating A Threat]
- cc. (b)(6) (b)(7)(C) FRCIV; Male; White; Mani Khel Village, Maidan Wardak Province, AFG; XZ; [Assault]
- dd. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Missing Persons]
- ee. (b)(6) (b)(7)(C) FRCIV; Male; Other; Nerkh District, Maidan Wardak Province, AFG; XZ; [Missing Persons]
- ff. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]

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- gg. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]
- hh. (b)(6) (b)(7)(C) FRCIV; Male; White; Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]
- ii. UNKNOWN - 9365513; [Assault]
- jj. Shafiqullah, s/o Assadullah (Deceased) FRCIV; Male; White; Jo-e-Asya Village, Omar Khel, Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder], [Assault]
- kk. (b)(6) (b)(7)(C) FRCIV; Male; White; Jo-e-Asya Village, Omar Khel, Nerkh District, Maidan Wardak Province, AFG; XZ; [Assault]
- ll. Nawab Shah, s/o Mirza (Deceased) FRCIV; Male; White; Ibrahim Khel Village, Nerkh District, Maidan Wardak Province, AFG; XZ; [Murder]
- mm. (b)(6) (b)(7)(C) FRCIV; Male; White; XZ; [Assault]
- nn. (b)(6) (b)(7)(C) FRCIV; Male; White; XZ; [Assault]
- oo. U.S. Government; [Conspiracy - Person Offenses]
- pp. Government of the Islamic Republic of Afghanistan; [Concealment of the Body of Murdered]
- qq. UNKNOWN - 9796469 (Deceased); [Murder], [Conspiracy]
- rr. UNKNOWN - 9796478 (Deceased); [Murder]

7. Report Summary:

(U) Final Supplemental Report:

(U) This office was requested by Headquarters, International Security Assistance Force (ISAF), Kabul, Afghanistan to investigate possible Law of Armed Conflict Violations by US Special Forces (USSF). The allegations included the murder of Mr. Sayed Mohammad as well as the kidnapping, abuse, and murder of 15 Afghan residents of Wardak Province, Afghanistan.

(U) Investigation determined USSF personnel did not commit the offenses of Murder, Detainee Abuse, or Kidnapping. A thorough investigation to include interviews, review of medical records, and a review of patrol logs, story boards, and operational records determined USSF personnel were not operating in the areas where the incidents occurred.

(U) Investigation by Afghanistan National Directorate of Security (NDS) determined Mr. Zekria Noorzai, a.k.a. Kandahari, a former interpreter for USSF, committed the offense

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of Murder, when he caused the death of Mr. Sayed Mohammad by beating him.

(U) Mr. Zekria Noorzai was convicted of Murder by the Afghan Lower Court and upheld by the Afghan High Court, in which he was sentenced to 18 years imprisonment.

(U) (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) opined there was no probable cause to believe USSF personnel committed the offenses of Murder, Kidnapping, or Detainee Abuse.

(U) Further investigation consisting of re-interviews and interviews of USSF personnel, support personnel, and contracted persons to ODA 3124 did not affirm or establish evidence of war crimes or atrocities committed by USSF personnel at COP Nerkh. Additional investigation consisted of coordination with the office of the Staff Judge Advocate (SJA) in reference to the offenses listed for Mr. Kandahari, Mr. (b)(6) (b)(7)(C) and the Unknown Subjects of this investigation. Coordination with CPT (b)(6) (b)(7)(C) Senior Trial Counsel, 1st Special Forces Command (Airborne), SJA, Fort Bragg, NC established they were not able to provide an opine due to the lack of jurisdiction over the subjects.

(U) CPT (b)(6) (b)(7)(C) Senior Trial Counsel, 1st Special Forces Command (Airborne), SJA, Fort Bragg, NC reviewed the remaining case documents. During the review a CAS and AIR entry from 12 June 18 were revealed detailing SA (b)(6) (b)(7)(C) obtained a Final Opine for SFC (b)(6) (b)(7)(C) from CPT (b)(6) (b)(7)(C). The opine stated there was no probable cause that SFC (b)(6) (b)(7)(C) committed the listed offenses. At the time of the opine the SFC (b)(6) (b)(7)(C) was titled for Murder, Conspiracy and Assault. CPT (b)(6) (b)(7)(C) related due to no information having been obtained by this office since the 2018 opine, the opine still stood and there were no offenses remaining for SFC (b)(6) (b)(7)(C) pending opine. CPT (b)(6) (b)(7)(C) related he was unable to opine on any remaining unknowns or local national subjects.

(U) CID Reports of Investigation may be subject to a Quality Assurance Review by CID Higher Headquarters.

ADDED ATTACHED:

192. AIR of SA (b)(6) (b)(7)(C) 31 Aug 15.

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193. AIR of SA (b)(6) (b)(7)(C) 18 Sep 15.

194. AIR of SA (b)(6) (b)(7)(C) 24 Sep 15.

195. AIR of SA (b)(6) (b)(7)(C) 30 Sep 15.

196. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 21 Sep 15. (USACRC and file copy only)

197. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

198. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 21 Sep 15. (USACRC and file copy only)

199. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

200. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 21 Sep 15. (USACRC and file copy only)

201. English translation and transcript of interview of Mr. (b)(6) (b)(7)(C)

202. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 22 Sep 15. (USACRC and file copy only)

203. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

204. Justice Center in Parwan (JCIP) Trial Summary, 15 Sep 13.

205. AIR of SA (b)(6) (b)(7)(C) 20 Oct 15.

206. DVD containing recorded interview of Ms. (b)(6) (b)(7)(C) 20 Oct 15. (USACRC and file copy only)

207. AIR of SA (b)(6) (b)(7)(C) 30 Oct 15.

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208. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 3 Oct 15. (USACRC and file copy only)

209. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

210. Photograph of SFAAT interpreters and individual identification by M (b)(6) (b)(7)(C) 3 Oct 15.

211. Photograph of ODA and individual identification by Mr. (b)(6) (b)(7)(C) 3 Oct 15.

212. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 14 Oct 15. (USACRC and file copy only)

213. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

214. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 14 Oct 15. (USACRC and file copy only)

215. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

216. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 16 Oct 15. (USACRC and file copy only)

217. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

218. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 16 Oct 15. (USACRC and file copy only)

219. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

220. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 17 Oct 15. (USACRC and file copy only)

221. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

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222. DVD containing photographs provided by Mr. (b)(6) (b)(7)(C) 20 Oct 15. (USACRC and file copy only)

223. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 20 Oct 15. (USACRC and file copy only)

224. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

225. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 27 Oct 15. (USACRC and file copy only)

226. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

227. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 27 Oct 15. (USACRC and file copy only)

228. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

229. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 28 Oct 15. (USACRC and file copy only)

230. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

231. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 30 Oct 15. (USACRC and file copy only)

232. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

233. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 30 Oct 15. (USACRC and file copy only)

234. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

235. AIR of SA (b)(6) (b)(7)(C) 5 Nov 15.

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236. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 5 Nov 15. (USACRC and file copy only)

237. AIR of SA (b)(6) (b)(7)(C) 25 Nov 15.

238. DVD containing recorded interview of Mr. Noorzai, 10 Nov 15. (USACRC and file copy only)

239. Photograph of ODA interpreters identified by Mr. Noorzai.

240. Photograph of ODA team members identified by Mr. Noorzai.

241. Photograph of COP Nerkh buildings identified by Mr. Noorzai.

242. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Nov 15. (USACRC and file copy only)

243. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

244. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Nov 15. (USACRC and file copy only)

245. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

246. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Nov 15. (USACRC and file copy only)

247. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

248. Dari language medical records and summary pertaining to Mr. (b)(6) (b)(7)(C) Mr. (b)(6) (b)(7)(C) and Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)

249. English translation of medical record summary pertaining to Exhibit 248.

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250. DVD containing recorded interview of Afghan Colonel (b)(6) (b)(7)(C) 25 Nov 15.
(USACRC and file copy only)

251. English translation and transcript of Colonel (b)(6) (b)(7)(C) interview.

252. AIR of SA (b)(6) (b)(7)(C) 5 Dec 15.

253. DVD containing recorded interview of Ms. (b)(6) (b)(7)(C) (USACRC and file copy only)

254. AIR of SA (b)(6) (b)(7)(C) 31 Dec 15.

255. Waiver Certificate of Mr. Noorzai, 3 Dec 15.

256. Polygraph Examination Report of Mr. Noorzai, 8 Dec 15.

257. Rough sketch prepared by Mr. Noorzai depicting COP Nerkh, 6 Dec 15.

258. Aerial map of COP Nerkh wherein Mr. Noorzai identified burial location of Mr. Mohammad's remains.

259. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 8 Dec 15. (USACRC and file copy only)

260. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

261. Compact Disc (CD) containing crime scene images provided by Mr. (b)(6) (b)(7)(C)

262. Supreme Court Judicial Order 1949 in Dari language Government of the Islamic Republic of Afghanistan (GIROA). (USACRC and file copy only)

263. English translation of GIROA Supreme Court Judicial Order 1949.

264. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 14 Dec 15. (USACRC and file copy only)

CUI

CIRC-FFB

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- 265. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 266. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Dec 15. (USACRC and file copy only)
- 267. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 268. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Dec 15. (USACRC and file copy only)
- 269. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 270. Copy of Nerkh Police District incident report in Dari language pertaining to discovery of Mr. MOHAMMAD's body. (USACRC and file copy only)
- 271. English translation of Nerkh Police District incident report, 21 May 13.
- 272. Copy of police report in Dari language. (USACRC and file copy only)
- 273. English translation of police report, Exhibit 272.
- 274. Copy of crime scene sketch in Dari language. (USACRC and file copy only)
- 275. English translation of crime scene sketch, Exhibit 274.
- 276. Copy of police observation report in Dari language. (USACRC and file copy only)
- 277. English translation of police observation report, Exhibit 276.
- 278. Copy of police statement from relative of Mr. Mohammad in Dari language. (USACRC and file copy only)
- 279. English translation of police statement from relative of Mr. Mohammad, Exhibit 278.

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280. Copy of Criminal Investigation Directorate request in Dari language. (USACRC and file copy only)

281. English translation of Criminal Investigation Directorate request, Exhibit 280.

282. Copy of Autopsy Report of Mr. Mohammad in Dari language. (USACRC and file copy only)

283. English translation of Autopsy Report pertaining to Mr. Mohammad, Exhibit 282.

284. Copy of police report pertaining to the remains of Mr. Esmatullah and Mr. Sediqullah in Dari language. (USACRC and file copy only)

285. English translation of police report, Exhibit 284.

286. Copy of crime scene sketch in Dari language. (USACRC and file copy only)

287. English translation of crime scene sketch, Exhibit 286.

288. Copy of Autopsy Report pertaining to Mr. Esmatullah in Dari language. (USACRC and file copy only)

289. English translation of autopsy report, Exhibit 288.

290. Copy of Autopsy Report pertaining to Mr. Sediqullah in Dari language. (USACRC and file copy only)

291. English translation of Autopsy Report, Exhibit 290.

292. Copy of police incident report pertaining to Mr. Nawab in Dari language. (USACRC and file copy only)

293. English translation of police incident report, Exhibit 292.

294. Copy of police report pertaining to Mr. Nawab in Dari language. (USACRC and file copy only)

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295. English translation of police report, Exhibit 294.

296. Copy of crime scene sketch, location #1 in Dari language. (USACRC and file copy only)

297. English translation of crime scene sketch, Exhibit 296.

298. Copy of crime scene sketch, location #2 in Dari language. (USACRC and file copy only)

299. English translation of crime scene sketch, Exhibit 298.

300. Copy of police statement from relative of Mr. Nawab in Dari language. (USACRC and file copy only)

301. English translation of police statement, Exhibit 300.

302. Copy of Criminal Investigation Directorate request in Dari language. (USACRC and file copy only)

303. English translation of request, Exhibit 302.

304. Copy of Autopsy Report in Dari language. (USACRC and file copy only)

305. English translation of autopsy report, Exhibit 304.

306. Copy of police incident report pertaining to Mr. Noorullah and Mr. Hassan in Dari language. (USACRC and file copy only)

307. English translation of police incident report, Exhibit 306.

308. Copy of police report in Dari language. (USACRC and file copy only)

309. English translation of police report, Exhibit 308.

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- 310. Copy of crime scene sketch in Dari language. (USACRC and file copy only)
- 311. English translation of crime scene sketch, Exhibit 310.
- 312. Copy of police observation report in Dari language. (USACRC and file copy only)
- 313. English translation of police observation report, Exhibit 312.
- 314. Copy of police statement from relative of Mr. Noorullah in Dari language. (USACRC and file copy only)
- 315. English translation of police statement, Exhibit 314.
- 316. Copy of police statement from relative of Mr. Hassan in Dari language. (USACRC and file copy only)
- 317. English translation of police statement, Exhibit 316.
- 318. Copy of Criminal Investigation Directorate request in Dari language. (USACRC and file copy only)
- 319. English translation of request, Exhibit 318.
- 320. Copy of Autopsy Report of Mr. Noorullah in Dari language. (USACRC and file copy only)
- 321. English translation of Autopsy Report of Mr. Noorullah, Exhibit 320.
- 322. Copy of Autopsy Report of Mr. Khan in Dari language. (USACRC and file copy only)
- 323. English translation of Autopsy Report of Mr. Khan, Exhibit 322.
- 324. Copy of police report pertaining to the discovery of three (3) bodies (Dari language). (USACRC and file copy only)

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- 325. English translation of police report, Exhibit 324.
- 326. Copy of crime scene sketch in Dari language. (USACRC and file copy only)
- 327. English translation of crime scene sketch, Exhibit 326.
- 328. AIR of SA (b)(6) (b)(7)(C) 26 Jan 16.
- 329. DVD containing recorded interview of SFC (b)(6) (b)(7)(C) (USACRC and file copy only)
- 330. DVD containing recorded interview of Mr (b)(6) (b)(7)(C) (USACRC and file copy only)
- 331. Transcript of Mr. (b)(6) (b)(7)(C) interview.
- 332. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)
- 333. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 334. DVD containing recorded interview of Afghan COL (b)(6) (b)(7)(C) (USACRC and file copy only)
- 335. English translation and transcript of COL (b)(6) (b)(7)(C) interview.
- 336. Non-waiver certificate of MSG (b)(6) (b)(7)(C) 21 Jan 16.
- 337. DVD containing recorded interview of MSG (b)(6) (b)(7)(C) (USACRC and file copy only)
- 338. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)
- 339. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 340. AIR of SA (b)(6) (b)(7)(C) 23 Feb 16.
- 341. DVD containing recorded interview of LT (b)(6) (b)(7)(C) (USACRC and file copy only)

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- 342. English translation and transcript of LT (b)(6) (b)(7)(C) interview.
- 343. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)
- 344. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 345. AIR of SA (b)(6) (b)(7)(C) 29 Mar 16.
- 346. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)
- 347. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 348. DVD containing recorded of interview of Afghan CPT (b)(6) (b)(7)(C) (USACRC and file copy only)
- 349. English translation and transcript of CPT (b)(6) (b)(7)(C) interview.
- 350. AIR of SA (b)(6) (b)(7)(C) 26 Apr 16.
- 351. DVD containing recorded interview of SFC (b)(6) (b)(7)(C) 26 Apr 16. (USACRC and file copy only)
- 352. Map of COP Nerkh presented to and labeled by SFC (b)(6) (b)(7)(C) 26 Apr 16.
- 353. AIR of SA (b)(6) (b)(7)(C) 28 Apr 16.
- 354. Sworn statement of SSG (b)(6) (b)(7)(C) 25 Apr 16.
- 355. Sworn statement of SSG (b)(6) (b)(7)(C) 27 Apr 16.
- 356. Map of COP Nerkh presented to and labeled by SSG (b)(6) (b)(7)(C) 27 Apr 16.
- 357. (9) Photos provided by SSG (b)(6) (b)(7)(C)

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358. AIR of SA (b)(6) (b)(7)(C) 29 Apr 16.

359. DVD containing recorded interview of Afghan National Police (ANP) CPT (b)(6) (b)(7)(C) 11 Apr 16. (USACRC and file copy only)

360. English translation and transcript of CPT (b)(6) (b)(7)(C) interview.

361. DVD containing recorded interview of Mr (b)(6) (b)(7)(C) 15 Apr 16. (USACRC and file copy only)

362. English translation and transcript of Mr (b)(6) (b)(7)(C) interview.

363. DVD containing recorded interview of Mr (b)(6) (b)(7)(C) 15 Apr 16. (USACRC and file copy only)

364. English translation and transcript of Mr (b)(6) (b)(7)(C) interview.

365. Satellite image of COP Nerkh.

366. DVD containing recorded interview of Mr (b)(6) (b)(7)(C) 19 Apr 16. (USACRC and file copy only)

367. English translation and transcript of Mr (b)(6) (b)(7)(C) interview.

368. DVD containing recorded interview of SSG (b)(6) (b)(7)(C) 25 Apr 16. (USACRC and file copy only)

369. DVD containing recorded interview of SSG (b)(6) (b)(7)(C) 25 Apr 16. (USACRC and file copy only)

370. DVD containing recorded interview of Mr (b)(6) (b)(7)(C) 26 Apr 16. (USACRC and file copy only)

371. English translation and transcript of Mr (b)(6) (b)(7)(C) interview.

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372. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 26 Apr 16. (USACRC and file copy only)

373. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

374. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 27 Apr 16. (USACRC and file copy only)

375. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

376. Copy of Mr. (b)(6) (b)(7)(C) petition to Afghan Governor's Office in Dari Language.

377. English language translation of Exhibit 376.

378. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 29 Apr 16. (USACRC and file copy only)

379. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

380. AIR of SA (b)(6) (b)(7)(C) 2 May 16.

381. Sworn Statement of SFC (b)(6) (b)(7)(C) 2 May 16.

382. Copy of Map depicting COP Nerkh, presented to SFC (b)(6) (b)(7)(C)

383. AIR of SA (b)(6) (b)(7)(C) 2 May 16.

384. Sworn statement of Mr. (b)(6) (b)(7)(C) 30 Apr 16.

385. Copy of Map depicting COP Nerkh and photograph annotated by Mr. (b)(6) (b)(7)(C)

386. AIR of SA (b)(6) (b)(7)(C) 3 May 16.

387. Sworn statement of SGT (b)(6) (b)(7)(C) 2 May 16.

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388. (3) Copies of Maps depicting COP Nerkh annotated by SGT (b)(6) (b)(7)(C)

389. AIR of SA (b)(6) (b)(7)(C) 4 May 16.

390. Sworn statement of Mr. (b)(6) (b)(7)(C) 3 May 16.

391. Copy of Map depicting COP Nerkh annotated by Mr. (b)(6) (b)(7)(C)

392. AIR of SA (b)(6) (b)(7)(C) 4 May 16.

393. Sworn statement of CPT (b)(6) (b)(7)(C) 27 Apr 16.

394. Copy of Map depicting COP Nerkh annotated by CPT (b)(6) (b)(7)(C)

395. AIR of SA (b)(6) (b)(7)(C) 19 May 16.

396. AIR of SA (b)(6) (b)(7)(C) 19 May 16.

397. Sworn statement of Mr. (b)(6) (b)(7)(C) 5 May 16.

398. Map of COP Nerkh annotated by Mr. (b)(6) (b)(7)(C)

399. AIR of SA (b)(6) (b)(7)(C) 19 May 16.

400. Sworn statement of SGT (b)(6) (b)(7)(C) 6 May 16.

401. Map of COP Nerkh presented to SGT (b)(6) (b)(7)(C)

402. AIR of SA (b)(6) (b)(7)(C) 23 May 16.

403. Sworn statement of MAJ (b)(6) (b)(7)(C) 28 Apr 16.

404. Map of COP Nerkh annotated by MAJ (b)(6) (b)(7)(C)

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405. (7) Copies of photographs depicting deployed personnel provided by MAJ (b)(6) (b)(7)(C)
406. AIR of SA (b)(6) (b)(7)(C) 20 May 16.
407. Sworn statement of MAJ (b)(6) (b)(7)(C) 16 May 16.
408. AIR of SA (b)(6) (b)(7)(C) 31 May 16.
409. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 4 May 16. (USACRC and file copy only)
410. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
411. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 11 May 16. (USACRC and file copy only)
412. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview
413. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 May 16. (USACRC and file copy only)
414. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
415. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 29 May 16. (USACRC and file copy only)
416. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
417. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 29 May 16. (USACRC and file copy only)
418. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
419. AIR of SA (b)(6) (b)(7)(C) 31 May 16.

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420. Sworn statement of SGT (b)(6) (b)(7)(C) with annotated map of COP Nerkh, 4 May 16.

421. (10) Copies of photographs provided by SGT (b)(6) (b)(7)(C)

422. AIR of SA (b)(6) (b)(7)(C) 2 Jun 16.

423. Sworn statement of SGT (b)(6) (b)(7)(C) 8 May 16.

424. Map of COP Nerkh annotated by SGT (b)(6) (b)(7)(C)

425. AIR of SA (b)(6) (b)(7)(C) 9 Jun 16.

426. Sworn statement of SGT (b)(6) (b)(7)(C) 6 Jun 16.

427. Map of COP Nerkh annotated by SGT (b)(6) (b)(7)(C)

428. AIR of SA (b)(6) (b)(7)(C) 27 Jun 16.

429. Sworn statement of SSG (b)(6) (b)(7)(C) 27 Jun 16.

430. Map of COP Nerkh annotated by SSG (b)(6) (b)(7)(C)

431. AIR of SA (b)(6) (b)(7)(C) 27 Jun 16.

432. DVD containing recorded interview of Afghan COL (b)(6) (b)(7)(C) 15 Jun 16.
(USACRC and file copy only)

433. English translation and transcript of COL (b)(6) (b)(7)(C) interview.

434. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 26 Jun 16. (USACRC and file copy only)

435. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

436. Copy of Dari language petition and police documents regarding Mr. (b)(6) (b)(7)(C) and handwritten note by Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)

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437. English language translation of Exhibit 437.

438. AIR of SA (b)(6) (b)(7)(C) 25 Jul 16.

439. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 2 Jul 16. (USACRC and file copy only)

440. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

441. (2) Copies of photographs depicting the death body of Mr. (b)(6) (b)(7)(C)

442. DVD containing video documentary regarding the death of Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)

443. Transcript of video documentary, Exhibit 443.

444. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 19 Jul 16. (USACRC and file copy only)

445. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.

446. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 25 Jul 16. (USACRC and file copy only)

447. AIR of SA (b)(6) (b)(7)(C) 29 Jul 16.

448. Waiver certificate of Mr. Noorzai, 29 Jul 16.

449. (5) DVDs containing recorded interview of Mr. Noorzai, 29 Jul 16. (USACRC and file copy only)

450. AIR of SA (b)(6) (b)(7)(C) 31 Jul 16.

451. Waiver certificate of Mr. Noorzai, 31 Jul 16.

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452. (4) DVDs containing recorded interview of Mr. Noorzai, 31 Jul 16. (USACRC and file copy only)

453. AIR of SA (b)(6) (b)(7)(C) 8 Aug 16.

454. Waiver certificate of Mr. Noorzai, 8 Aug 16.

455. (2) DVDs containing recorded interview of Mr. Noorzai, 8 Aug 16. (USACRC and file copy only)

456. AIR of SA (b)(6) (b)(7)(C) 9 Aug 16.

457. Waiver certificate of Mr. Noorzai, 9 Aug 16.

458. (2) DVDs containing recorded interview of Mr. Noorzai, 9 Aug 16. (USACRC and file copy only)

459. AIR of SA (b)(6) (b)(7)(C) 10 Aug 16.

460. Waiver certificate of Mr. Noorzai, 10 Aug 16.

461. DVD containing recorded interview of Mr. Noorzai, 10 Aug 16. (USACRC and file copy only)

462. AIR of SA (b)(6) (b)(7)(C) 20 Aug 16.

463. Waiver certificate of Mr. (b)(6) (b)(7)(C) 20 Aug 16.

464. DVDs containing recorded interview of Mr. (b)(6) (b)(7)(C) 20 Aug 16. (USACRC and file copy only)

465. AIR of SA (b)(6) (b)(7)(C) 30 Aug 16.

466. Dari language letter from Hazrat Mawla Ali Health Care pertaining to Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)

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467. English language translation of Exhibit 467.

468. AIR of SA (b)(6) (b)(7)(C) 31 Aug 16.

469. Waiver certificate of Mr. Noorzai, 31 Jul 16.

470. (4) DVDs containing recorded interview of Mr. Noorzai, 31 Jul 16.

471. Waiver certificate of Mr. Noorzai, 8 Aug 16.

472. (2) DVDs containing recorded interview of Mr. Noorzai, 31 Jul 16.

473. AIR of SA (b)(6) (b)(7)(C) 13 Oct 16.

474. DVD containing recorded interview of CPT (b)(6) (b)(7)(C) 13 Oct 16. (USACRC and file copy only)

475. English language translation of Exhibit 475.

476. AIR of SA (b)(6) (b)(7)(C) 6 Nov 16.

477. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 6 Nov 16.

478. (2) DVDs containing images provided by Mr. (b)(6) (b)(7)(C)

479. AIR of SA (b)(6) (b)(7)(C) 3 Nov 16.

480. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 4 Nov 16.

481. AIR of SA (b)(6) (b)(7)(C) 10 Nov 16.

482. AIR of SA (b)(6) (b)(7)(C) 30 Nov 16.

483. DVD containing recorded interview of M (b)(6) (b)(7)(C) 10 Nov 16. (USACRC and file copy only)

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- 484. DVD containing images provided by Mr. (b)(6) (b)(7)(C) (USACRC and file copy only)
- 485. AIR of SA (b)(6) (b)(7)(C) 14 Dec 16.
- 486. Sworn statement of MAJ (b)(6) (b)(7)(C) 14 Dec 16.
- 487. AIR of SA (b)(6) (b)(7)(C) 19 Dec 16.
- 488. CID Request to the Justice Center Parwan for the Noorzai Case file, 19 Dec 16.
- 489. Dari translation of Exhibit 489. (USACRC and file copy only)
- 490. AIR of SA (b)(6) (b)(7)(C) 29 Dec 16.
- 491. AIR of SA (b)(6) (b)(7)(C) 16 Jan 17.
- 492. DVD containing recorded interview of Mr. (b)(6) (b)(7)(C) 15 Jan 17. (USACRC and file copy only)
- 493. English translation and transcript of Mr. (b)(6) (b)(7)(C) interview.
- 494. Dari language memorandum from Justice Center Parwan regarding inmate Noorzai. (USACRC and file copy only)
- 495. English language translation of Exhibit 495.
- 496. AIR of SA (b)(6) (b)(7)(C) 30 Mar 17.
- 497. CID Response to Office of Prosecutor, 13 Mar 17.
- 498. Dari Translation of Exhibit 498 (USACRC and file copy only)
- 499. AIR of SA (b)(6) (b)(7)(C) 28 Feb 17.

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500. AIR of SA (b)(6) (b)(7)(C) 9 May 17.

501. Rough Sketch depicting COP Nerkh, drawn by SGT (b)(6) (b)(7)(C)

502. AIR of SA (b)(6) (b)(7)(C) 25 Jul 17.

503. AIR of SA 25 Aug 17.

504. Non-Waiver Certificate of SFC (b)(6) (b)(7)(C) 17 Aug 17.

505. Non-Waiver Certificate of SFC (b)(6) (b)(7)(C) 17 Aug 17.

506. Non-Waiver Certificate of SFC (b)(6) (b)(7)(C) 22 Aug 17.

507. Non-Waiver Certificate of MSG (b)(6) (b)(7)(C) 25 Aug 17.

508. AIR of SA (b)(6) (b)(7)(C) 9 Oct 17.

509. Non-Waiver Certificate of SFC (b)(6) (b)(7)(C) 15 Sep 17.

510. Sworn Statement of SFC (b)(6) (b)(7)(C) 9 Oct 17.

511. AIR of SA (b)(6) (b)(7)(C) 12 Jun 18.

512. AIR of SA (b)(6) (b)(7)(C) 6 Jan 20.

513. AIR of SA (b)(6) (b)(7)(C) 11 Mar 20.

514. AIR of SA 16 Jul 20.

515. AIR of SA 16 Oct 20.

516. AIR of SA 22 Dec 20.

517. AIR of SA (b)(6) (b)(7)(C) 6 Dec 21.

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ADDED ATTACHED:

None

8. Unique Circumstances:

Polygraph Examination [9G1]

Alleged war crimes with international media interest

Commanders are reminded of the provisions of AR 600-8-2 pertaining to suspension of favorable personnel actions and AR 380-67 for incident reporting of credible derogatory information [nondiscretionary] and consideration of the suspension of security clearances of persons under investigation. Army Law Enforcement reports/Reports of Investigation are exempt from automatic termination of protective markings IAW Chapter 3, AR 25-55. IAW AR 25-22, AR 190-45, and DODM 5400.07, information contained in this report is law enforcement sensitive, confidential and private in nature, and any further distribution (forwarding to unauthorized personnel) without the authorization of the Director, HQ, CID and/or Provost Marshal General will be in violation of the UCMJ and USC.

Report Prepared By

Report Approved By

SA (b)(6) (b)(7)(C)

SA (b)(6) (b)(7)(C)

CUI

CUI

CIRC-FFB

SUBJECT: Report of Investigation - SIR/1ST Final Supplemental - 01267-2013-CID023-025984-5H1/ 5H1P/5H4/5K/5K3/5C1/5X1/5C2/5C2B/7G3/7J4/5T1/5K4/9G1

Signature Authority

Special Agent in Charge (b)(6) (b)(7)(C)

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CASE HISTORY:

00194-2013-CID369
01267-2013-CID023-025984

CUI

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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Bagram CID Office

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28 Jan 2015

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 3RD FINAL
SUPPLEMENTAL/SSI/JOINT - 0194-2013-CID369-25984 - 5H1P / 5K3 / 5C2B /
9G2 / 9J

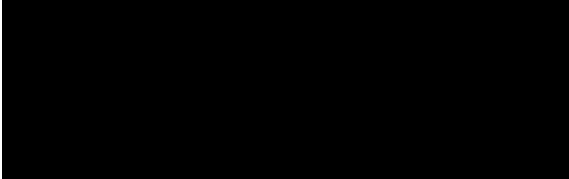
DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 NOV 2012, 0600 - 31 DEC 2012, 2359; UNKNOWN LOCATIONS, MAIDAN
SHAR, WARDAK PROVINCE, AFGHANISTAN

DATE

INVESTIGATION

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)



SUBJECT

UNDEED)], [MURDER (UNFOUNDED)],

[KIDN

2. KANDAHARI, ZEKRIA ; FRCIV; AFGHANISTAN; (DOB); (POB); MALE;
WHITE; UNKNOWN ADDRESS, KANDAHAR, AF; XZ ; AKA: NOORZAI, ZEKRIA ;
[MURDER]

VICTIM:

1. UNKNOWN-2564273-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE
(UNFOUNDED)], [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

2. UNKNOWN-2644716-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE
(UNFOUNDED)] (NFI)

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3. MOHAMMAD, SAYEED (DECEASED); FRCIV; AFGHANISTAN; (DOB); (POB); MALE; WHITE; UNKNOWN ADDRESS, WARDAK PROVINCE, AF; XZ ; [MURDER]

4. UNKNOWN, ATIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

5. UNKNOWN, NASRATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

6. UNKNOWN, ESMATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

7. UNKNOWN, SADIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

8. (b)(6) (b)(7)(C) FRCIV; (DOB); (POB); MALE; WHITE; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)]

9. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [MURDER (UNFOUNDED)] (NFI)

10. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [MURDER (UNFOUNDED)] (NFI)

11. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

12. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

13. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

14. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

15. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

16. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

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INVESTIGATIVE SUMMARY:

(U) This is an Operation Enduring Freedom Investigation.

(U) This office was requested by Headquarters, ISAF, Kabul, Afghanistan to investigate possible Law of Armed Conflict Violations by US Special Forces (USSF). The allegations included the murder of Mr. Sayeed MOHAMMAD as well as the kidnapping, abuse, and murder of 15 Afghan residents of Wardak Province, Afghanistan.

(U) Investigation determined USSF personnel did not commit the offenses of Murder, Detainee Abuse, or Kidnapping. A thorough investigation to include interviews, review of medical records, and a review of patrol logs, story boards, and operational records determined USSF personnel were not operating in the areas where the incidents occurred.

(U) Investigation by Afghanistan National Directorate of Security (NDS) determined Mr. KANDAHARI, a former interpreter for USSF, committed the offense of Murder, when he caused the death of Mr. MOHAMMAD by beating him.

(U) Mr. KANDAHARI was convicted of Murder by the Afghan Lower Court and upheld by the Afghan High Court, in which he was sentenced to 18 years imprisonment.

(U) (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) opined there was no probable cause to believe USSF personnel committed the offenses of Murder, Kidnapping, or Detainee Abuse.

(U) Further investigation in the form of a written legal review from (b)(6) (b)(7)(C) (b)(3) obtained by this office determined (b)(6) (b)(7)(C) (b)(3) maintained his previously provided opine.

(U) Further investigation determined several exhibits were improperly classified and improperly documented throughout this report. All classification issues have been corrected and properly documented.

(U) An operational review further determined additional exhibits were not properly added to the 2nd Final Supplemental Report and all changes not fully explained. This report is to correct the investigative summary; document portion markings to all exhibits of the Final Report; document the addition of Exhibits 137-192 under the Added Attached section of this report; correct the date of Exhibit 4 to reflect 29 Dec 12; document names of individuals who provided statements of Exhibits 11 and 21-26; correct the date of Exhibit 42 to reflect 6 Sep 13; correct the date of Exhibit 46 to reflect 2 Oct 13; correct the date of Exhibit 78 to reflect 4 Oct 13; correct the date of Exhibit 83 to reflect 19 Nov 13; correct the date of Exhibit 97 to reflect 18 Dec 13; correct the date of Exhibit 103 to reflect 29 Nov 13; correct Exhibit 132 to reflect Operational Patrol Log and Story Board, 30 Mar 13; correct Exhibit 134 to reflect Dari Forensic Examination Record of

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unknown remains, 7 Apr 13; to correct Exhibit 135 to reflect Memorandum for Record of (b)(6) (b)(7)(C) (b)(3) and to correct the location of original exhibits.

STATUTES:

- (U) Article 394, Government of the Republic of Afghanistan Penal Code: Murder
- (U) Article 118, UCMJ: Murder (Unfounded)
- (U) Article 128, UCMJ: Detainee Abuse (Unfounded)
- (U) Article 134, UCMJ: Kidnapping (Unfounded)

EXHIBITS:

ATTACHED:

- (U) 1. Agent's Investigation Report (AIR) of (b)(6) (b)(7)(C) (b)(3) 20 Jul 13.
- (U) 2. Commander's Inquiry of Employment of Mr. KANDAHARI, 16 Dec 12.
- (U) 3. Commander's Inquiry of Detainee Abuse, 1 Jan 13.
- (U) 4. Commander's Inquiry of Misconduct, 29 Dec 12.
- ~~(S)~~ 5. Joint Incident Assessment Team Report, 13 Mar 13.
- ~~(C)~~ 6. International Committee of the Red Cross (ICRC) Report, 25 May 13.
- (U) 7. List of ODA teams and supporting staff, 20 Jul 13.
- (U) 8. Afghanistan National Directorate of Security (NDS) Statement of Mr. KANDAHARI, 20 Jul 13.
- (U) 9. AIR of (b)(6) (b)(7)(C) (b)(3), 24 Jul 13.
- (U) 10. AIR of (b)(6) (b)(7)(C) (b)(3) 24 Jul 13.
- (U) 11. Interview Statement of Detainee (b)(6) (b)(7)(C) 24 Jul 13.
- (U) 12. AIR of (b)(6) (b)(7)(C) (b)(3) 26 Jul 13.
- (U) 13. AIR of (b)(6) (b)(7)(C) (b)(3) 28 Jul 13.
- (U) 14. Photographs of USSF personnel, 28 Jul 13.

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(U) 15. CD containing audio recording of Mr. KANDAHARI interview. (USACRC and File copies only)

(U) 16. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Jul 13.

(U) 17. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Jul 13.

(U) 18. Weapons Roster, 26 Jul 13.

(U) 19. Photographs of SFAAT personnel, 26 Jul 13.

(U) 20. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 14.

(U) 21. Interview Statement of Detainee (b)(6) (b)(7)(C) 31 Jul 13.

(U) 22. Interview Statement of Detainee (b)(6) (b)(7)(C) 1 Aug 13.

(U) 23. Interview Statement of Detainee (b)(6) (b)(7)(C) 2 Aug 13.

(U) 24. Interview Statement of Detainee (b)(6) (b)(7)(C) 4 Aug 13.

(U) 25. Interview Statement of Detainee (b)(6) (b)(7)(C) 5 Aug 13.

(U) 26. Interview Statement of Detainee (b)(6) (b)(7)(C) 6 Aug 13.

(U) 27. AIR of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.

(U) 28. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 9 Aug 13.

(U) 29. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 13.

(U) 30. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.

(U) 31. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.

(U) 32. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 12 Aug 13.

(U) 33. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.

(U) 34. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Aug 13.

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- (U) 35. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 8 Aug 13.
- (U) 36. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Aug 13.
- (U) 37. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 13 Aug 13.
- (U) 38. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 15 Aug 13.
- (U) 39. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 21 Aug 13.
- (U) 40. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Aug 13.
- (U) 41. CD containing recorded interview of Mr. (b)(6) (b)(7)(C) 28 Aug 13. (USACRC and File copies only)
- (U) 42. AIR of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 43. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 44. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 45. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Sep 13.
- (U) 46. AIR of (b)(6) (b)(7)(C) (b)(3) 2 Oct 13.
- (U) 47. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 28 Sep 13.
- (U) 48. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Sep 13.
- (U) 49. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 50. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Sep 13.
- (U) 51. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Oct 13.
- (U) 52. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 53. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 54. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 55. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.

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- (U) 56. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Sep 13.
- (U) 57. Sworn Statement (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 58. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 59. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 60. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 4 Oct 13.
- (U) 61. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 10 Oct 13.
- (U) 62. AIR of (b)(6) (b)(7)(C) (b)(3) 1 Oct 13.
- (U) 63. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Oct 13.
- (U) 64. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 22 Oct 13.
- (U) 65. AIR of (b)(6) (b)(7)(C) (b)(3) 15 Nov 13.
- (U) 66. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 67. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3), 24 Oct 13.
- (U) 68. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 69. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 70. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 71. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 72. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 73. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 74. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 75. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 25 Oct 13.
- (U) 76. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 25 Oct 13.

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- (U) 77. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 28 Oct 13.
- (U) 78. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 79. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3), 15 Nov 13.
- (U) 80. AIR of (b)(6) (b)(7)(C) (b)(3) 30 Oct 13.
- (U) 81. Evidence Property Custody Document (EPCD), Document Number (DN) 677-13, 30 Oct 13.
- (U) 82. CD containing copy of video of Mr. KANDAHARI. (USACRC and File copies only)
- (U) 83. AIR of (b)(6) (b)(7)(C) (b)(3) 19 Nov 13.
- (U) 84. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.
- (U) 85. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.
- (U) 86. AIR of (b)(6) (b)(7)(C) (b)(3), 20 Nov 13.
- (U) 87. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.
- (U) 88. AIR of (b)(6) (b)(7)(C) (b)(3) 21 Nov 13.
- (U) 89. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.
- (U) 90. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.
- (U) 91. AIR of (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.
- (U) 92. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 25 Nov 13.
- (U) 93. Sketch by (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.
- (U) 94. AIR of (b)(6) (b)(7)(C) (b)(3) 26 Nov 13.
- (U) 95. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Oct 13.
- (U) 96. Sketch by (b)(6) (b)(7)(C) (b)(3) 26 Oct 13.

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- (U) 97. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Dec 13.
- (U) 98. Sworn Statement of Mr. (b)(6) (b)(7)(C) 22 Nov 13.
- (U) 99. Sketch by Mr. (b)(6) (b)(7)(C) 22 Nov 13.
- (U) 100. Photographs of SFAAT, 22 Nov 13.
- (U) 101. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 11 Dec 13.
- (U) 102. Photographs of SFAAT, 11 Dec 13.
- (U) 103. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Nov 13.
- (U) 104. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
- (U) 105. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Dec 13.
- (U) 106. Sketch by (b)(6) (b)(7)(C) (b)(3) 3 Dec 13.
- (U) 107. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
- (U) 108. Non-wa ate of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
- (U) 109. AIR of (b)(6) (b)(7)(C) (b)(3) 2 Dec 13.
- (U) 110. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Dec 13.
- (U) 111. AIR of 19 Dec 13.
- (U) 112. AIR of 20 Dec 13.
- (U) 113. AIR of 22 Dec 13.
- (U) 114. AIR of 23 Dec 13.
- (U) 115. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
- (U) 116. Sworn S (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
- (U) 117. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.

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- (U) 118. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
- (U) 119. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
- (U) 120. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
- (U) 121. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
- (U) 122. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
- (U) 123. Sketch by (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
- (U) 124. Digital Evidence Report, USACIL# 2013-CID131-2618, 7 Jan 14.
- (U) 125. AIR of (b)(6) (b)(7)(C) (b)(3) 31 Jan 14.
- (U) 126. AIR of SA 4 Feb 14.
- ~~(S)~~ 127. AIR of (b)(6) (b)(7)(C) 5 Mar 14.
- ~~(S)~~ 128. Defense Analysis Report, 21 Aug 09.
- ~~(S)~~ 129. U.S. Army National Guard Intelligence Center Report.
- (U) 130. AIR of (b)(6) (b)(7)(C) (b)(3) 4 Apr 14.
- (U) 131. AIR of 3 May 14.
- ~~(S)~~ 132. Operational Patrol Log and Story Board, 30 Mar 13.
- (U) 133. AIR of (b)(6) (b)(7)(C) (b)(3) 29 May 14.
- (U) 134. Dari Forensic Examination Record of unknown remains, 7 Apr 13. (USACRC and File copies only)
- (U) 135. Memorandum for Record of (b)(6) (b)(7)(C) (b)(3)
- (U) 136. Memorandum for Record of (b)(6) (b)(7)(C) (b)(3) 5 Aug 14.
- NOT ATTACHED:
- (U) None.

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ADDED ATTACHED:

(U) 137. Table of Contents of Exhibit 3.

(U) 138. Appointment orders of (b)(6) (b)(7)(C) of Exhibit 3, 15 Dec 12.

(U) 139. AR 15-6 Chronology of Investigation of Exhibit 3, 9 Dec 12.

(U) 140. AR 15-6 Persons Interviewed and No Statement List of Exhibit 3, 9 Dec 12.

~~(S)~~ 141. Standard Operating Procedure for Detainee Operations of Exhibit 3, 14 Feb 12.

(U) 142. Medical Record and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3.

~~(S)~~ 143. Field Detention Site In-processing, Medical Screening, and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3.

(U) 144. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.

(U) 145. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.

(U) 146. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.

~~(S)~~ 147. Serious Incident Reports of Exhibit 3, 9 Dec 12.

(U) 148. Medical Records and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3, 26 Nov 12.

~~(S)~~ 149. Field Detention Site In-processing and Medical Screening of Detainee (b)(6) (b)(7)(C) of Exhibit 3, 9 Dec 12.

(U) 150. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.

(U) 151. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.

~~(S)~~ 152. Serious Incident Reports of Exhibit 3, 9 Dec 12.

~~(S)~~ 153. CCIR of SOTF-East of Exhibit 3, 9 Dec 12.

~~(S)~~ 154. Detainee Tracker of Exhibit 3, 16 Dec 12.

~~(S)~~ 155. Email of SOTF-East of Exhibit 3, 10 Dec 12.

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- (U) 156. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 17 Dec 12.
- (U) 157. Sworn Statement of Mr. (b)(6) (b)(7)(C) of Exhibit 3, 17 Dec 12.
- ~~(S)~~ 158. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 5 Dec 12.
- (U) 159. Dari Statement of 1SG (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 160. English Translation of 1SG (b)(6) (b)(7)(C) statement of Exhibit 3, 18 Dec 12.
- (U) 161. Dari Statement of SGT (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 162. English Translation of SGT (b)(6) (b)(7)(C) statement of Exhibit 3, 18 Dec 12.
- (U) 163. Dari Statement of SGT (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 164. English Translation of SGT (b)(6) (b)(7)(C) statement of Exhibit 3, 18 Dec 12.
- (U) 165. Email of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 21 Dec 12.
- (U) 166. Table of Contents of Exhibit 4.
- (U) 167. Appointment Orders of (b)(6) (b)(7)(C) (b)(3) of Exhibit 4, 23 Dec 12.
- ~~(S)~~ 168. Story Board of Exhibit 4, 27 Nov 12.
- ~~(S)~~ 169. CCIR of Exhibit 4, 27 Nov 12.
- ~~(S)~~ 170. Story Board of Exhibit 4, 2 Dec 12.
- ~~(S)~~ 171. Story Board of Exhibit 4, 4 Dec 12.
- (U) 172. MFR of ODA Wardak Allegations of Exhibit 4, 29 Dec 12.
- (U) 173. MFR of FONECON Record for ODA 3126 Wardak Allegations of Exhibit 4, 29 Dec 12.
- ~~(S)~~ 174. Wardak Allegation Report of Exhibit 4, 21 Dec 12.

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~~(S)~~ 175. Wardak Report of Exsum of Exhibit 4, Nov - Dec 12.

~~(S)~~ 176. CCIR of Exhibit 4, 20 Nov 12.

(U) 177. Accusation Letter with Responses of Exhibit 4.

~~(S)~~ 178. Wardak PAT SITREP of Exhibit 4, 22 Nov 12.

(U) 179. English Translation of Dari Forensic Examination Record of unknown remains of Exhibit 134, 7 Apr 13.

(U) 180. Dari Letter of Dr. (b)(6) (b)(7)(C) 14 Apr 14. (USACRC and File copies only)

(U) 181. English Translation of Dr. (b)(6) (b)(7)(C) 14 Apr 14 Letter.

(U) 182. Dari Forensic Examination Record of Mr. NOORULLAH, 11 Jun 13. (USACRC and File copies only)

(U) 183. English Translation of Forensic Examination Record of Mr. NOORULLAH, 11 Jun 13.

(U) 184. Photographs of Mr. NOORULLAH's remains. (USACRC and File copies only)

(U) 185. Dari Forensic Examination Record of Mr. (b)(6) (b)(7)(C) 23 Jun 13. (USACRC and File copies only)

(U) 186. English Translation of Forensic Examination Record of Mr. ISMATULLAH, 23 Jun 13.

(U) 187. Photographs of Mr. ISMATULLAH's remains. (USACRC and File copies only)

(U) 188. Dari Forensic Examination Record of Mr. SADIQULLAH, 1 Jul 13. (USACRC and File copies only)

(U) 189. English Translation of Forensic Examination Record of Mr. SADIQULLAH, 1 Jul 13.

(U) 190. Photographs of Mr. SADIQULLAH's remains. (USACRC and File copies only)

(U) 191. Photographs of unknown remains. (USACRC and File copies only)

ADDED NOT ATTACHED:

(U) None.

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(U) The originals of Exhibits 1, 9, 10, 12, 13, 16, 17, 20, 27-40, 42-81, 83-99, 101, 103-123, 125-127, 130, 131, 133, and 135 are retained in the files of this office. The originals of Exhibits 2-4, 7, 14, 18, 19, 100, 102, 132, and 137-178 are maintained in the files of the Combined Joint Special Operations Task Force-Afghanistan, Camp Vance, Bagram Airfield, Afghanistan, APO AE 09354. The original of Exhibit 5 is maintained in the files of the International Joint Command, Kabul, Afghanistan. The original of Exhibit 6 is maintained in the files of the Red Cross, Kabul, Afghanistan. The original of Exhibit 8 is maintained in the files of the National Directorate of Security, Wardak Province, Afghanistan. The originals of Exhibits 11 and 21-26 are maintained in the files of the Criminal Investigation Task Force (CITF), Fort Belvoir, VA. The originals of Exhibits 15, 41, and 82 are forwarded with the USACRC copy of this report. The original of Exhibit 124 is maintained in the files of the U.S. Army Criminal Investigation Laboratory, Forest Park, GA 30297. The original of Exhibit 128 is maintained in the files of the Defense Intelligence Agency, 2451 Crystal Drive, Arlington, VA 22202. The original of Exhibit 129 is maintained in the files of the U.S. Army National Ground Intelligence Center, Fort Meade, MD 20755. The originals of Exhibits 134 and 179-191 are maintained in the files of the Ministry of Public Health, Kabul, Afghanistan. The original of Exhibit 136 is maintained in the files of the Staff Judge Advocate, Special Operations Command, 7701 Tampa Point BLVD, MacDill Air Force Base, FL 33621.

(U) STATUS: This is a Final Supplemental Report. No further investigative activity is anticipated at this time. Mr. KANDAHARI was convicted of Murder by the Afghan Lower Court and upheld by the Afghan High Court, in which he was sentenced to 18 years imprisonment. Commander's Report of Disciplinary or Administrative Action (DA Form 4833 is not required.

(U) CID Reports of Investigation may be subject to a Quality Assurance Review by CID Higher Headquarters.

Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3)

DISTRIBUTION:

Dir, USACRC, Quantico, VA

Commander, USACIDC, ATTN: CIOP-CO, 27130 Telegraph Road, Quantico, VA

CDR, 3d MP Group, ATTN: OPS, Hunter AAF, GA 31409

Commander, 10th CID BN (CID), APO AE 09345

USFOR-A, SJA

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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Bagram CID Office

Bagram CID Office, Bagram Airfield, APO, APO AE 09354-_____

09 Dec 2014

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - 2ND FINAL
SUPPLEMENTAL/SSI/JOINT - 0194-2013-CID369-25984 - 5H1P / 5K3 / 5C2B /
9G2 / 9J

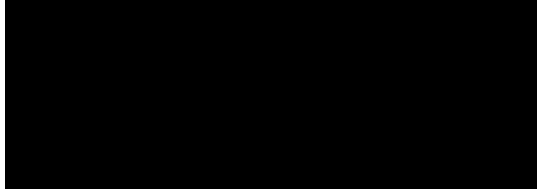
DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 NOV 2012, 0600 - 31 DEC 2012, 2359; UNKNOWN LOCATIONS, MAIDAN
SHAR, WARDAK PROVINCE, AFGHANISTAN

DATE/T

INVEST

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)



SUBJEC

OUNDED)], [MURDER (UNFOUNDED)],

[KIDNA

2. KANDAHARI, ZEKRIA ; FRCIV; AFGHANISTAN; (DOB); (POB); MALE;
WHITE; UNKNOWN ADDRESS, KANDAHAR, AF; XZ ; AKA: NOORZAI, ZEKRIA ;
[MURDER]

VICTIM:

1. UNKNOWN-2564273-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE
(UNFOUNDED)], [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

2. UNKNOWN-2644716-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE
(UNFOUNDED)] (NFI)

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3. MOHAMMAD, SAYEED (DECEASED); FRCIV; AFGHANISTAN; (DOB); (POB); MALE; WHITE; UNKNOWN ADDRESS, WARDAK PROVINCE, AF; XZ ; [MURDER]

4. UNKNOWN, ATIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

5. UNKNOWN, NASRATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

6. UNKNOWN, ESMATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

7. UNKNOWN, SADIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

8. (b)(6) (b)(7)(C) FRCIV; (DOB); (POB); MALE; WHITE; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)]

9. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [MURDER (UNFOUNDED)] (NFI)

10. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [MURDER (UNFOUNDED)] (NFI)

11. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

12. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

13. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

14. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

15. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

16. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

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INVESTIGATIVE SUMMARY:

(U) This is an Operation Enduring Freedom Investigation.

(U) This office was requested by Headquarters, ISAF, Kabul, Afghanistan, to investigate possible law of armed conflict violations by U.S. Special Forces (USSF). The allegations included the murder of Mr. Sayeed MOHAMMAD as well as the kidnapping, abuse, and murder of 15 Afghan residents of Wardak Province, Afghanistan.

(U) Investigation determined USSF personnel did not commit the offenses of Murder, Detainee Abuse, or Kidnapping. A thorough investigation to include interviews, review of medical records, and a review of patrol logs, story boards, and operational records determined USSF personnel were not operating in the areas where the incidents occurred.

(U) Investigation by Afghanistan National Directorate of Security (NDS) determined Mr. KANDAHARI, a former interpreter for USSF, committed the offense of Murder, when he caused the death of Mr. MOHAMMAD by beating him.

(U) (b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) opined there was no probable cause to believe USSF personnel committed the offenses of Murder, Kidnapping, or Assault.

(U) Further investigation in the form of a written legal review from (b)(6) (b)(7)(C) (b)(3) obtained by this office determined (b)(6) (b)(7)(C) (b)(3) maintained his previously provided opine.

(U) Further investigation determined several exhibits were improperly classified and improperly documented throughout this report. All classification issues have been corrected and all exhibits combined into this report.

STATUTES:

(U) Article 394, Government of the Republic of Afghanistan Penal Code: Murder

(U) Article 118, UCMJ: Murder (Unfounded)

(U) Article 128, UCMJ: Detainee Abuse (Unfounded)

(U) Article 134, UCMJ: Kidnapping (Unfounded)

EXHIBITS:

ATTACHED:

(U) 1. Agent's Investigation Report of (b)(6) (b)(7)(C) (b)(3) 20 Jul 13.

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- (U) 2. Commander's Inquiry of Employment of Mr. KANDAHARI, 16 Dec 12.
- (U) 3. Commander's Inquiry of Detainee Abuse, 1 Jan 13.
- (U) 4. Table of Contents of Exhibit 3.
- (U) 5. Appointment orders of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 15 Dec 12.
- (U) 6. AR 15-6 Chronology of Investigation of Exhibit 3, 9 Dec 12.
- (U) 7. AR 15-6 Persons Interviewed and No Statement List of Exhibit 3, 9 Dec 12.
- ~~(S)~~ 8. Standard Operating Procedure for Detainee Operations of Exhibit 3, 14 Feb 12.
- (U) 9. Medical Record and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3.
- ~~(S)~~ 10. Field Detention Site In-processing, Medical Screening, and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3.
- (U) 11. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.
- (U) 12. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.
- (U) 13. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.
- ~~(S)~~ 14. Serious Incident Reports of Exhibit 3, 9 Dec 12.
- (U) 15. Medical Record and photos of Detainee (b)(6) (b)(7)(C) of Exhibit 3, 26 Nov 12.
- ~~(S)~~ 16. Field Detention Site In-processing and Medical Screening of Detainee (b)(6) (b)(7)(C) of Exhibit 3, 9 Dec 12.
- (U) 17. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.
- (U) 18. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 9 Dec 12.
- ~~(S)~~ 19. Serious Incident Reports of Exhibit 3, 9 Dec 12.
- (U) 20. Serious Incident Reports from TF Disruptor with emails of Exhibit 3, 10 Dec 12.
- ~~(S)~~ 21. CCIR of SOTF-East of Exhibit 3, 9 Dec 12.

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- ~~(S)~~ 22. Detainee Tracker of Exhibit 3, 16 Dec 12.
- ~~(S)~~ 23. Email of SOTF-East of Exhibit 3, 10 Dec 12.
- (U) 24. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 17 Dec 12.
- (U) 25. Sworn Statement of Mr. (b)(6) (b)(7)(C) of Exhibit 3, 17 Dec 12.
- ~~(S)~~ 26. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 5 Dec 12.
- (U) 27. Dari Statement of 1SG (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 28. English Translation of 1SG (b)(6) (b)(7)(C) statement of Exhibit 3.
- (U) 29. Dari Statement of SGT (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 30. English Translation of SGT (b)(6) (b)(7)(C) statement of Exhibit 3, 18 Dec 12.
- (U) 31. Dari Statement of SGT (b)(6) (b)(7)(C) of Exhibit 3, 18 Dec 12. (USACRC and File copies only)
- (U) 32. English Translation of SGT (b)(6) (b)(7)(C) statement of Exhibit 3.
- (U) 33. Email of (b)(6) (b)(7)(C) (b)(3) of Exhibit 3, 21 Dec 12.
- (U) 34. Commander's Inquiry of Misconduct, 29 Dec 12.
- (U) 35. Table of Contents of Exhibit 34.
- (U) 36. Appointment orders of (b)(6) (b)(7)(C) (b)(3) of Exhibit 34, 23 Dec 12.
- ~~(S)~~ 37. Story Board of Exhibit 34, 27 Nov 12.
- ~~(S)~~ 38. CCIR of Exhibit 34, 27 Nov 12.
- ~~(S)~~ 39. Story Board of Exhibit 34, 2 Dec 12.
- ~~(S)~~ 40. Story Board of Exhibit 34, 4 Dec 12.
- (U) 41. MFR of ODA Wardak Allegations of Exhibit 34, 29 Dec 12.

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(U) 42. MFR of FONECON Record for ODA 3126 Wardak Allegations of Exhibit 34, 29 Dec 12.

~~(S)~~ 43. Wardak Allegation Report of Exhibit 34, 21 Dec 12.

~~(S)~~ 44. Wardak Report Exsum of Exhibit 34.

~~(S)~~ 45. CCIR of Exhibit 34, 20 Nov 12.

(U) 46. Accusation Letter with Responses of Exhibit 34.

~~(S)~~ 47. Wardak PAT SITREP of Exhibit 34, 22 Nov 12.

~~(S)~~ 48. Joint Incident Assessment Team Report of Exhibit 34, 13 Mar 13.

~~(C)~~ 49. International Committee of the Red Cross (ICRC) Report, 25 May 13.

(U) 50. List of ODA teams and supporting staff, 20 Jul 13.

(U) 51. Afghanistan National Directorate of Security (NDS) Statement of Mr. KANDAHARI, 20 Jul 13.

(U) 52. AIR of (b)(6) (b)(7)(C) (b)(3), 24 Jul 13.

(U) 53. AIR of (b)(6) (b)(7)(C) (b)(3), 24 Jul 13.

(U) 54. Interview Statement of Detainee (b)(6) (b)(7)(C), 24 Jul 13.

(U) 55. AIR of (b)(6) (b)(7)(C) (b)(3), 26 Jul 13.

(U) 56. AIR of (b)(6) (b)(7)(C) (b)(3), 28 Jul 13.

(U) 57. Photographs of USSF personnel, 28 Jul 13.

(U) 58. CD containing audio recording of Mr. KANDAHARI interview. (USACRC and File copies only)

(U) 59. AIR of (b)(6) (b)(7)(C) (b)(3), 29 Jul 13.

(U) 60. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 26 Jul 13.

(U) 61. Weapons Roster, 26 Jul 13.

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- (U) 62. Photographs of SFAAT personnel, 26 Jul 13.
- (U) 63. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 13.
- (U) 64. Interview Statement of Detainee (b)(6) (b)(7)(C) 31 Jul 13.
- (U) 65. Interview Statement of Detainee (b)(6) (b)(7)(C) 1 Aug 13.
- (U) 66. Interview Statement of Detainee (b)(6) (b)(7)(C) 2 Aug 13.
- (U) 67. Interview Statement of Detainee (b)(6) (b)(7)(C) 4 Aug 13.
- (U) 68. Interview Statement of Detainee (b)(6) (b)(7)(C) 5 Aug 13.
- (U) 69. Interview Statement of Detainee (b)(6) (b)(7)(C) 6 Aug 13.
- (U) 70. AIR of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
- (U) 71. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Aug 13.
- (U) 72. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 13.
- (U) 73. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
- (U) 74. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
- (U) 75. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
- (U) 76. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
- (U) 77. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Aug 13.
- (U) 78. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 8 Aug 13.
- (U) 79. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Aug 13.
- (U) 80. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 13 Aug 13.
- (U) 81. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 15 Aug 13.
- (U) 82. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 21 Aug 13.

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- (U) 83. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Aug 13.
- (U) 84. CD containing recorded interview of Mr. (b)(6) (b)(7)(C) 28 Aug 13. (USACRC and File copies only)
- (U) 85. AIR of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 86. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 87. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 88. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Sep 13.
- (U) 89. AIR of (b)(6) (b)(7)(C) (b)(3) 2 Oct 13.
- (U) 90. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 28 Sep 13.
- (U) 91. AIR of (b)(6) (b)(7)(C) (b)(3) 19 Sep 13.
- (U) 92. Sworn Statement (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
- (U) 93. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Sep 13.
- (U) 94. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Oct 13.
- (U) 95. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 96. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 97. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 98. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
- (U) 99. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Sep 13.
- (U) 100. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 101. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 102. Sworn Statement of 4 Oct 13.

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- (U) 103. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
- (U) 104. AIR of (b)(6) (b)(7)(C) (b)(3) 21 Oct 13.
- (U) 105. AIR of 23 Oct 13.
- (U) 106. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 22 Oct 13.
- (U) 107. AIR of (b)(6) (b)(7)(C) (b)(3) 15 Nov 13.
- (U) 108. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 109. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 110. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 111. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 112. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 113. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 114. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 115. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 116. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
- (U) 117. Non-waiver Certificate of 25 Oct 13.
- (U) 118. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 25 Oct 13.
- (U) 119. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 28 Oct 13.
- (U) 120. Non-waiver Certificate of 4 Nov 13.
- (U) 121. Non-waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 15 Nov 13.
- (U) 122. AIR of (b)(6) (b)(7)(C) (b)(3) 30 Oct 13.
- (U) 123. DA Form 4137, Evidence Property Custody Document (EPCD), Voucher Number 677-13.

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(U) 124. CD containing copy of video of Mr. KANDAHARI. (USACRC and File copies only)

(U) 125. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Nov 13.

(U) 126. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

(U) 127. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

(U) 128. AIR of (b)(6) (b)(7)(C) (b)(3) 20 Nov 13.

(U) 129. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

(U) 130. AIR of (b)(6) (b)(7)(C) (b)(3) 21 Nov 13.

(U) 131. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

(U) 132. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

(U) 133. AIR of (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.

(U) 134. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.

(U) 135. Sketch by (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.

(U) 136. AIR of (b)(6) (b)(7)(C) (b)(3) 26 Nov 13.

(U) 137. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Oct 13.

(U) 138. Sketch by (b)(6) (b)(7)(C) (b)(3) 26 Oct 13.

(U) 139. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Dec 13.

(U) 140. Sworn Statement of Mr. (b)(6) (b)(7)(C) 22 Nov 13.

(U) 141. Sketch by Mr. (b)(6) (b)(7)(C) 22 Nov 13.

(U) 142. Photographs of SFAAT, 22 Nov 13.

(U) 143. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 11 Dec 13.

(U) 144. Photographs of SFAAT, 11 Dec 13.

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- (U) 145. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Nov 13.
- (U) 146. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
- (U) 147. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Dec 13.
- (U) 148. Sketch by (b)(6) (b)(7)(C) (b)(3) 3 Dec 13.
- (U) 149. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
- (U) 150. Non-wa te of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
- (U) 151. AIR of (b)(6) (b)(7)(C) (b)(3) 2 Dec 13.
- (U) 152. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Dec 13.
- (U) 153. AIR of 19 Dec 13.
- (U) 154. AIR of 20 Dec 13.
- (U) 155. AIR of 22 Dec 13.
- (U) 156. AIR of 23 Dec 13.
- (U) 157. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
- (U) 158. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
- (U) 159. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
- (U) 160. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
- (U) 161. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
- (U) 162. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
- (U) 163. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
- (U) 164. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
- (U) 165. Sketch by (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.

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(U) 166. Digital Evidence Report, USACIL #2013-CID131-2618, 7 Jan 14.

(U) 167. AIR of (b)(6) (b)(7)(C) (b)(3) 31 Jan 14.

(U) 168. AIR of 4 Feb 14.

~~(S)~~ 169. AIR of 5 Mar 14.

~~(S)~~ 170. Defense Analysis Report, 21 Aug 09.

~~(S)~~ 171. U.S. Army National Guard Intelligence Center Report, 12 May 11.

(U) 172. AIR of (b)(6) (b)(7)(C) (b)(3) 4 Apr 14.

(U) 173. AIR of 3 May 14.

~~(S)~~ 174. Operational Patrol Log and Story Board, 30 Mar 13.

(U) 175. AIR of (b)(6) (b)(7)(C) (b)(3) 29 May 14.

(U) 176. Dari Letter of Dr. (b)(6) (b)(7)(C) 14 Apr 14. (USACRC and File copies only)

(U) 177. English Translation of Dr. (b)(6) (b)(7)(C) 14 Apr 14 Letter.

(U) 178. Dari Forensic Examination Record of unknown remains, 7 Apr 13. (USACRC and File copies only)

(U) 179. English Translation of Forensic Examination Record of unknown remains, 7 Apr 13.

(U) 180. Dari Forensic Examination Record of Mr. NOORULLAH, 11 Jun 13. (USACRC and File copies only)

(U) 181. English Translation of Forensic Examination Record of Mr. NOORULLAH, 11 Jun 13.

(U) 182. Photographs of Mr. NOORULLAH's remains. (USACRC and File copies only)

(U) 183. Dari Forensic Examination Record of Mr. ISMATULLAH, 23 Jun 13. (USACRC and File copies only)

(U) 184. English Translation of Forensic Examination Record of Mr. ISMATULLAH, 23 Jun 13.

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- (U) 185. Photographs of Mr. ISMATULLAH's remains. (USACRC and File copies only)
- (U) 186. Dari Forensic Examination Record of Mr. SADIQULLAH, 1 Jul 13. (USACRC and File copies only)
- (U) 187. English Translation of Forensic Examination Record of Mr. SADIQULLAH, 1 Jul 13.
- (U) 188. Photographs of Mr. SADIQULLAH's remains. (USACRC and File copies only)
- (U) 189. Photographs of unknown remains. (USACRC and File copies only)
- (U) 190. Memorandum for Record of (b)(6) (b)(7)(C) (b)(3) 12 Jun 14.
- (U) 191. Memorandum for Record of (b)(6) (b)(7)(C) (b)(3) 5 Aug 14.

NOT ATTACHED:

(U) None.

(U) The originals of Exhibits 1, 52, 53, 55, 56, 59, 60, 63, 70-83, 85-123, 125-141, 143, 145-165, 167-169, 172, 173, 175, and 190 are retained in the files of this office. The originals of Exhibits 2-47, 50, 57, 61, 62, 142, 144, and 174 are maintained in the files of of Combined Joint Special Operations Task Force-Afghanistan, Camp Vance, Bagram Airfield, APO AE 09354. The original of Exhibit 48 is maintained in the files of the International Joint Command, Kabul, Afghanistan. The original of Exhibit 49 is maintained in the files of the International Committee of the Red Cross, Kabul, Afghanistan. The original of Exhibit 51 is maintained in the files of the National Directorate of Security, Wardak Province, Afghanistan. The originals of Exhibits 54 and 64-69 were maintained in the files of the Criminal Investigation Task Force (CITF), Fort Belvoir, VA. The originals of Exhibits 58, 84, and 124 were forwarded with the USACRC copy of this report. The original of Exhibit 166 is maintained in the files of the U.S. Army Criminal Investigation Laboratory, Forest Park, GA 30297. The original of Exhibit 170 is maintained in the files of the Defense Intelligence Agency, 2451 Crystal Drive, Arlington, VA 22202. The original of Exhibit 171 is maintained in the files of the U.S. Army National Ground Intelligence Center, Fort Meade, MD 20755. The originals of Exhibits 176-189 are maintained in the files of the Ministry of Public Health, Kabul, Afghanistan. The original of Exhibit 191 is maintained in the files of the Staff Judge Advocate, Special Operations Command, Tampa, FL.

(U) STATUS: This is a Final Supplemental Report. No further investigative activity is anticipated at this time. Mr. KANDAHARI was convicted of Murder by the Afghan Lower Court and upheld by the Afghan High Court, in which he was sentenced to 18 years imprisonment. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required.

(U) CID Reports of Investigation may be subject to a Quality Assurance Review by CID Higher Headquarters.

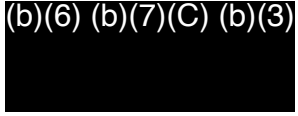
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Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C) (b)(3)



(b)(6) (b)(7)(C) (b)(3)



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Dir, USACRC, Quantico, VA

Commander, USACIDC, ATTN: CIOP-CO, 27130 Telegraph Road, Quanti

CDR, 3d MP Group, ATTN: OPS, Hunter AAF, GA 31409

Commander, 10th CID BN (CID), APO AE 09345

Office of the Armed Forces Medical Examiner, 115 Purple Heart Drive, Dover AFB, DE 19902

FILE

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DEPARTMENT OF THE ARMY

U.S. ARMY CRIMINAL INVESTIGATION COMMAND

Bagram CID Office

Bagram CID Office, Bagram Airfield, APO, APO AE 09354-_____

31 Jul 2014

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI/JOINT - 0194-2013-CID369-25984 - 5H1P / 5K3 / 5C2B / 9G2 / 9J

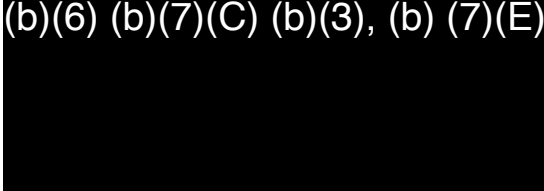
DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 01 NOV 2012, 0600 - 31 DEC 2012, 2359; UNKNOWN LOCATIONS, MAIDAN SHAR, WARDAK PROVINCE, AFGHANISTAN

DATE/

INVESTIGATION

(b)(6) (b)(7)(C) (b)(3), (b) (7)(E)



SUBJECT

[KIDNAPPING (UNFOUNDED)] (NFI) FOUNDED)], [MURDER (UNFOUNDED)],

2. KANDAHARI, ZEKRIA ; FRCIV; AFGHANISTAN; (DOB); (POB); MALE; WHITE; UNKNOWN ADDRESS, KANDAHAR, AF; XZ ; AKA: NOORZAI, ZEKRIA ; [MURDER]

VICTIM:

1. UNKNOWN-2564273-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

2. UNKNOWN-2644716-0194-2013-CID369-I ; FRCIV; [DETAINEE ABUSE (UNFOUNDED)] (NFI)

3. MOHAMMAD, SAYEED (DECEASED); FRCIV; AFGHANISTAN; (DOB); (POB); MALE; WHITE; UNKNOWN ADDRESS, WARDAK PROVINCE, AF; XZ ;

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[MURDER]

4. UNKNOWN, ATIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

5. UNKNOWN, NASRATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

6. UNKNOWN, ESMATULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

7. UNKNOWN, SADIQULLAH (DECEASED); FRCIV; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

8. (b)(6) (b)(7)(C) FRCIV; (DOB); (POB); MALE; WHITE; [MURDER (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)]

9. UNKNOWN, (b)(6) (b)(7)(C); FRCIV; [MURDER (UNFOUNDED)] (NFI)

10. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [MURDER (UNFOUNDED)] (NFI)

11. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

12. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

13. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

14. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

15. UNKNOWN, (b)(6) (b)(7)(C) FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

16. UNKNOWN, (b)(6) (b)(7)(C); FRCIV; [DETAINEE ABUSE (UNFOUNDED)], [KIDNAPPING (UNFOUNDED)] (NFI)

INVESTIGATIVE SUMMARY:

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This is an Operation Enduring Freedom Investigation.

This office was requested by Headquarters, ISAF, Kabul, Afghanistan to investigate possible Law of Armed Conflict violations by US Special Forces (USSF). The allegations included the murder of Mr. SAYEED MOHAMMAD as well the kidnapping, abuse and murder of 15 Afghan residents of Wardak Province, Afghanistan.

Investigation established probable cause to believe both the offense of Murder with regard to Mr. SAYEED MOHAMMAD as well as the offenses of Kidnapping, Detainee Abuse, and Murder with regard to the 15 Wardak residents did not occur as originally reported.

When Mr. KANDAHARI was detained for the death of Mr. SAYEED MOHAMMAD by Afghanistan National Directorate of Security (NDS), Wardak Province, Afghanistan, he alleged USSF murdered Mr. SAYEED MOHAMMAD. However, an investigation by NDS determined Mr. KANDAHARI murdered Mr. SAYEED MOHAMMAD. He was subsequently convicted of the Murder by the Afghan Lower Court and upheld by the Afghan High Court. Further investigation by this office determined USSF were not complicit in Mr. SAYEED MOHAMMAD'S death.

Wardak residents also reported USSF kidnapped, abused, and murdered 15 family members and/or neighbors. Subsequent investigation into these allegations determined USSF personnel were not complicit in the kidnapping, abuse or murder of these individuals. The assessment is based on the investigative findings which includes but is not limited to: the lack of physical and testimonial evidence; results of numerous interviews; USSF partnered at all times with Afghanistan Forces; and a review of the Afghan medical records.

(b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3) opined there was no probable cause to believe USSF murdered Mr. SAYEED MOHAMMAD; or kidnapped, abused, and murdered any Wardak residents.

This Report of Investigation contains classified information which is maintained in the classified version of this report.

STATUTES:

Article 394: Government of the Republic of Afghanistan Penal Code: Murder

Article 118: Murder (Unfounded)

Article 128: Assault Consummated by a Battery (Unfounded)

Article 134: Kidnapping (Unfounded)

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EXHIBITS:

ATTACHED:

1. Agent's Investigation Report (AIR) of (b)(6) (b)(7)(C) (b)(3) 20 Jul 13.
2. Commander's Inquiry of the Employment of KANDAHARI, 16 Dec 12.
3. Commander's Inquiry of Detainee Abuse, 1 Jan 13 (Exhibit w/ Classified Final).
4. Commander's Inquiry of Misconduct, 6 Jan 13 (Exhibit w/ Classified Final).
5. Joint Incident Assessment Team (JIAT) Report, 13 Mar 13 (Exhibit w/ Classified Final).
6. International Committee of the Red Cross (ICRC) Report, 25 May 13 (Exhibit w/ Classified Final).
7. List of members of the ODA teams and supporting staff, 20 Jul 13.
8. Afghan National Directorate of Security (NDS) Statement of Mr. KANDAHARI, 20 Jul 13.
9. AIR of (b)(6) (b)(7)(C) (b)(3), 24 Jul 13.
10. AIR of (b)(6) (b)(7)(C) (b)(3) 24 Jul 13.
11. Detainee interview statement, 24 Jul 13 (Exhibit w/ Classified Final).
12. AIR of (b)(6) (b)(7)(C) (b)(3) 26 Jul 13.
13. AIR of (b)(6) (b)(7)(C) (b)(3) 28 Jul 13.
14. Photographs of USSF personnel, 28 Jul 13.
15. CD containing audio recording of KANDAHARI interview (USACRC and file copy only).
16. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Jul 13.
17. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Jul 13.
18. Weapons Roster, 26 Jul 13.

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19. Photographs of SFAAT personnel, 26 Jul 13.
20. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 13.
21. Detainee interview statement, 31 Jul 13 (Exhibit w/ Classified Final).
22. Detainee interview statement, 1 Aug 13 (Exhibit w/ Classified Final).
23. Detainee interview statement, 2 Aug 13 (Exhibit w/ Classified Final).
24. Detainee interview statement, 4 Aug 13 (Exhibit w/ Classified Final).
25. Detainee interview statement, 5 Aug 13 (Exhibit w/ Classified Final).
26. Detainee interview statement, 6 Aug 13 (Exhibit w/ Classified Final).
27. AIR of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
28. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 9 Aug 13.
29. AIR of (b)(6) (b)(7)(C) (b)(3) 14 Aug 13.
30. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
31. Sworn Statement of 12 Aug 13.
32. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
33. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 12 Aug 13.
34. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Aug 13.
35. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 8 Aug 13.
36. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Aug 13.
37. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 13 Aug 13.
38. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 15 Aug 13.
39. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 21 Aug 13.

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40. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Aug 13.
41. CD containing recorded interview of Mr. (b)(6) (b)(7)(C), 28 Aug 13 (USACRC and file copy only).
42. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Jul 13.
43. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
44. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
45. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Sep 13.
46. Sworn Statement of AIR of (b)(6) (b)(7)(C) (b)(3) 1 Oct 13.
47. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 28 Sep 13.
48. AIR of (b)(6) (b)(7)(C) (b)(3) 19 Sep 13.
49. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 6 Sep 13.
50. Sworn Statement of 18 Sep 13.
51. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Oct 13.
52. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
53. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13 (Exhibit w/ Classified Final).
54. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Sep 13.
55. Sworn Statement of (b)(6) (b)(7)(C) (b)(3), 23 Sep 13 (Exhibit w/ Classified Final).
56. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Sep 13.
57. Sworn Statement of 4 Oct 13.
58. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
59. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 4 Oct 13.
60. Sworn Statement of 4 Oct 13.

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61. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 10 Oct 13 (Exhibit w/ Classified Final).
62. AIR of (b)(6) (b)(7)(C) (b)(3) 21 Oct 13.
63. AIR of 23 Oct 13.
64. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 22 Oct 13 (Exhibit w/ Classified Final).
65. AIR of (b)(6) (b)(7)(C) (b)(3) 15 Nov 13 (Exhibit w/ Classified Final).
66. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
67. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
68. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
69. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
70. Non-Waiver Certificate of 24 Oct 13.
71. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
72. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
73. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
74. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 24 Oct 13.
75. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 25 Oct 13.
76. Waiver Certificate and Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 25 Oct 13.
77. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 28 Oct 13.
78. Non-Waiver Certificate of 4 Nov 13.
79. Non-Waiver Certificate of (b)(6) (b)(7)(C) (b)(3) 15 Nov 13.
80. AIR of (b)(6) (b)(7)(C) (b)(3) 30 Oct 13.
81. Evidence Property Custody Document (EPCD), Document Number (DN) 677-13, 30 Oct 13.

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82. CD containing video of Mr. KANDAHARI (Exhibit w/ Classified Final).

83. AIR of (b)(6) (b)(7)(C) (b)(3) 19 Nov 14.

84. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

85. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13 (Exhibit w/ Classified Final).

86. AIR of (b)(6) (b)(7)(C) (b)(3) 20 Nov 13.

87. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

88. AIR of (b)(6) (b)(7)(C) (b)(3) 21 Nov 13.

89. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 18 Nov 13.

90. Sketch by (b)(6) (b)(7)(C) (b)(3) 18 Nov 13 (Exhibit w/ Classified Final).

91. AIR of (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.

92. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 25 Nov 13.

93. Sketch by (b)(6) (b)(7)(C) (b)(3), 25 Nov 13 (Exhibit w/ Classified Final).

94. AIR of (b)(6) (b)(7)(C) (b)(3) 26 Nov 13.

95. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 26 Oct 13.

96. Sketch by (b)(6) (b)(7)(C) (b)(3), 26 Oct 13 (Exhibit w/ Classified Final).

97. AIR of (b)(6) (b)(7)(C) (b)(3) 22 Nov 13.

98. Sworn Statement of Mr. (b)(6) (b)(7)(C) 22 Nov 13.

99. Sketch by Mr. (b)(6) (b)(7)(C) 22 Nov 13.

100. Photographs of SFAAT, 22 Nov 13.

101. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 11 Dec 13.

102. Photographs of SFAAT, 11 Dec 13.

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103. AIR of (b)(6) (b)(7)(C) (b)(3) 29 Nov 11.
104. AIR of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
105. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Dec 13.
106. Sketch by (b)(6) (b)(7)(C) (b)(3) 3 Dec 13 (Exhibit w/ Classified Final).
107. AIR of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
108. Non-Wa ate of (b)(6) (b)(7)(C) (b)(3) 10 Dec 13.
109. AIR of (b)(6) (b)(7)(C) (b)(3) 2 Dec 13.
110. AIR of (b)(6) (b)(7)(C) (b)(3) 18 Dec 13.
111. AIR of 19 Dec 13.
112. AIR of 20 Dec 13.
113. AIR of 22 Dec 13.
114. AIR of 23 Dec 13.
115. AIR of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
116. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
117. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 9 Dec 13.
118. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
119. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 17 Dec 13.
120. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 23 Dec 13.
121. AIR of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
122. Sworn Statement of (b)(6) (b)(7)(C) (b)(3) 3 Jan 14.
123. Sketch by (b)(6) (b)(7)(C) (b)(3) Jan 14 (Exhibit w/ Classified Final).

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- 124. Digital Evidence Report, USACIL# 2013-CID131-2618, 7 Jan 14.
- 125. AIR of (b)(6) (b)(7)(C) (b)(3) 31 Jan 14
- 126. AIR of 4 Feb 14.
- 127. AIR of 5 Mar 14 (Exhibit w/ Classified Final).
- 128. Defense Analysis Report (Exhibit w/ Classified Final).
- 129. U.S. Army National Guard Intelligence Center Report (Exhibit w/ Classified Final).
- 130. AIR of (b)(6) (b)(7)(C) (b)(3) 4 Apr 14 (Exhibit w/ Classified Final).
- 131. AIR of 3 May 14 (Exhibit w/ Classified Final).
- 132. Operational logs (Exhibit w/ Classified Final).
- 133. AIR of (b)(6) (b)(7)(C) (b)(3) 29 May 14 (Exhibit w/ Classified Final).
- 134. Medical records of Wardak residents.
- 135. Memorandum for Record, (b)(6) (b)(7)(C) (b)(3)

NOT ATTACHED:

None

The original of Exhibits 1, 9, 10, 12, 13, 16, 17, 20, 27-40, 42-52, 54, 56-60, 62, 63, 66-80, 83, 84, 86-89, 91, 92, 94, 95, 97-99, 101, 103-105, 107-122, 124, and 125 were retained in the files of this office. The originals of Exhibits 2-4, 7, 14, 18, 19, 100, 102 and 131 were retained in the files of Combined Joint Special Operations Task Force-Afghanistan, Camp Vance, Bagram Airfield, APO AE 09354. The original of Exhibit 5 was retained in the files International Joint Command, Kabul, Afghanistan. The original of Exhibit 6 was retained in the files of International Committee of the Red Cross, Kabul, Afghanistan. The original of Exhibit 8 was retained in the files of the National Directorate Security, Wardak Province, Afghanistan. The original of Exhibits 11 and 21-26 were retained in the files of the Criminal Investigation Task Force (CITF), Fort Belvoir, Virginia. The original of Exhibits 15 and 41 were forwarded with the USACRC copy of this report. The original of Exhibits 53, 55, 61, 64, 65, 82, 85, 90, 93, 96, 106, 123, 126, 129, 130, 131, and 132 were maintained with the classified version of this report. The original of Exhibit 81 was retained in the files of the Evidence Depository, 502nd MP BN

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(CID)(FWD), Camp Arifjan, APO AE 09366. The original of Exhibit 124 was retained in the files of the US Army Criminal Investigation Laboratory, 4920 N. 31st St., Forest Park, GA, 30297. The original of Exhibit 127 was retained in the files of the Defense Intelligence Agency, 2451 Crystal Drive, Arlington, Virginia, 22202. The original of Exhibit 128 was retained in the files of the US Army National Ground Intelligence Center, Fort Meade, MD, 20755. The original of Exhibit 133 was retained in the Ministry of Public Health, Kabul, Afghanistan. The original of Exhibit 135 was maintained in the files of Office of the Staff Judge Advocate, Special Operations Command, Tampa, FL.

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action (DA Form 4833) is not required. The investigation was conducted jointly with Afghanistan National Directorate of Security (NDS), Wardak Province, Afghanistan; however, NDS was unable to provide a case number. Mr. KANDAHARI was convicted for Murder and sentenced to 18 years in prison by the Afghan courts.

CID Reports of Investigation may be subject to a Quality Assurance review by CID higher headquarters.

Report Prepared By:

Report Approved By:

(b)(6) (b)(7)(C) (b)(3)

(b)(6) (b)(7)(C) (b)(3)

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(b)(6) (b)(7)(C) (b)(3)

CDR, 3d MP Group, ATTN: OPS, Hunter AAF, GA 31409

CDR, 502nd MP BN (CID), BAF

(b)(6) (b)(7)(C) (b)(3)

Commander, USACIDC, ATTN: CIOP-ZA, 27130 Telegraph Road, VA 22134
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